

February 01, 2024

Nathan Ochsner, Clerk of Court

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA

v.

TAMOSHION RUCKER,

Defendant

§
§
§
§
§
§
§CRIMINAL NO. **4:24-cr-00050**

UNDER SEAL

INDICTMENT

THE GRAND JURY CHARGES THAT:

GENERAL ALLEGATIONS

At all times material to this Indictment:

1. The defendant, **TAMOSHION RUCKER**, served as an active-duty member of the United States Army from 2018 to 2022 as a Radio and Communications Security (COMSEC) repairer. After he served on active-duty, the defendant, **TAMOSHION RUCKER**, became a member of the United States Army Reserve. The defendant was a member of the United States Army Reserve throughout the month of December 2022.

2. Image Intensifier Tubes (IIT's) are critical components of night vision devices which are issued to military units to enable operations in nighttime or low light environments. Category XII of the United States Munitions List (USML) identifies binoculars, monocular, goggles, or head or helmet-mounted imaging systems employing an autogated, third generation image intensifier tube or a higher generation image intensifier tube as "significant military equipment" in accordance with 22 C.F.R. § 120.7. Category XII also includes "second generation and greater image intensifier tubes specially designed for articles in this subchapter, and specially designed parts and components therefor".

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to this instrument are
prohibited by court order

3. In order to safeguard this technology and equipment, the Defense Logistics Agency (DLA) has designated certain items, including IITs, as requiring Demilitarization (“DEMIL”) at the end-of-life cycle use. The specific DEMIL instructions for IITs involves striking them with a ball peen hammer to ensure destruction and disposing of the fragments in accordance with hazardous waste guidelines. Therefore, IITs cannot be resold or otherwise transferred to anyone after they have been used, and must be destroyed, in this case, by the United States Army. IITs manufactured to fulfill government contracts (contract tubes), such as those described above, are not available to the general public and are not authorized for sale to the public.

COUNT ONE
(Theft of Government Property)

From on or about December 11, 2022, through December 15, 2022, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, defendant,

TAMOSHION RUCKER,

with the intent to deprive, did embezzle, steal, purloin, and knowingly convert to his use and use of another, and without authority, did sell, convey, and dispose of thing of value of the United States and an agency thereof, namely, Image Intensifier Tubes (IIT’s), with an aggregate value exceeding \$1,000.00.

In violation of Title 18, United States Code, Sections 641 and 2.

NOTICE OF CRIMINAL FORFEITURE

Upon conviction of a violation of Title 18, United States Code, Section 641, as alleged in this Indictment, defendant shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 981(a)(1)(c), and Title 28, United States Code, Section 2461, any property, real or personal, that constitutes or is derived, directly or indirectly, from gross proceeds traceable

to the commission of the offense.

If any of the property described above, as a result of any act or omission by defendant: cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third party; has been placed beyond the jurisdiction of the Court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty, the United States of America shall be entitled. to forfeiture of substitute property, as provided in Title 21, United States Code, Section 853(p).

A TRUE BILL:

Original Signature on File

FOREPERSON OF THE GRAND JURY

ALAMDAR S. HAMDANI
UNITED STATES ATTORNEY



CAROLYN FERKO
Assistant United States Attorney